UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/578,376	05/05/2006	Yang Peng	CN030054US1	6602

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ART UNIT	PAPER NUMBER
2481	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/578,376	PENG ET AL.
	Examiner	Art Unit	
	GELEK TOPGYAL	2481	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _14 December 2010_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _05 May 2006_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Remarks

2.   Claims 8-16 and 19-20 are statutory under 35 USC 101 as said claims are to a statutory class of invention (optical disc player). Said claims 8-16 and 19-20 are to an optical disc player, which is interpreted in light of the specification is not capable to be met by software/computer listings per se. Method claims 1-7 and 17-20 are statutory as said claims are considered to be inherently tied to a statutory category, specifically at least said steps of detecting an interruption and creating a bookmark are performed on a playback device which perform said respective steps. Said steps are not considered able to be performed absent said particular device.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   **Claims 1-2, 4-5, 8-11 and 13-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirayama et al. (US 5,732,185) in view of Lamkin et al. (US 7,379,661).

Regarding claim 1, Hirayama et al. teaches a method for playing content having a story line (col. 9, lines 15-31 teaches of story lines) including a plurality of distinct branches (col. 9, lines 15-31 teaches of at least 3 story lines) on a playback device (Fig. 1, "Apparatus"), the plurality of distinct branches leading to a respective plurality of diverged endings of the content story line (col. 9, lines 15-31 teaches of at least 3 story lines regarding three separate "heroes", in the example, the story (illustrated in Fig. 9A-D) has distinct story lines for each "hero", therefore the respective stories have different content and therefore endings. The multi-scene stories are each recorded in separate camera angle storage areas (Fig. 3B)), the method comprising acts of: on the playback device:

However, Hiraryama fails to teach detecting a branch indication while playing the content, the branch indication identifying a branch of the plurality of distinct branches of the content selected for playback; and creating a bookmark corresponding to the detected branch indication to record relevant information of said branch indication including which one of the plurality of distinct branches to continue for playing the content, wherein each branch indication of the played content has a corresponding created bookmark, wherein subsequent playing of the content is guided by the created bookmarks.

In an analogous art, Lamkin et al. teaches a similar method for playing content having a plurality of distinct branches playable on a playback device including the acts of:

detecting a branch indication while playing the content, the branch indication

identifying a branch of the plurality of distinct branches of the content selected for

playback (col. 21, lines 25-29 teaches that in the process of having to create a

bookmark, the system "records the necessary information to return to the same point in

the video playback of the video (1502) by recording the title number, time position,

chapter, **angle**.." In order for the system to fetch the "necessary information", the

system implicitly has to **detect** the particular angle (i.e. branch indication) for which a

bookmark is to be created); and

creating a bookmark, corresponding to the detected branch indication, to record

relevant information of said branch indication, including which one of the plurality of

distinct branches to continue for playing the content, wherein each branch indication of

the played content has a corresponding created bookmark, wherein subsequent

playing of the content is guided by the created bookmarks (As discussed above, once

the system detects the particular angle (i.e. branch indication), Lamkin et al. teaches in

col. 21, lines 21+ and col. 13, lines 38-51 teaches of **creating/storing** a multitude of

information regarding the point at which the user decides to create a bookmark. The

bookmark information includes among others, the ability to mark a particular "Angle,

Angle (1-9)" being reproduced. Therefore, during playback, the user can use the

Bookmark to jump back to the specific Angle that was being reproduced. Col. 53, lines

65-12 teaches of a "GotoBookmark" feature: "GotoBookmark returns to the same

position on the disc as when the bookmark was set". The bookmark information

therefore identifies a specific branch upon selection from a user. Therefore the limitation

of "wherein each branch indication of the played content has a corresponding created bookmark" is met the plurality of bookmarks that a user creates throughout the video content, especially during portions where multiple angles of data exist).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ability to detect a branch indication, create a bookmark corresponding to the detected branch indication and to subsequently play the content guided by the created bookmarks as taught by Lamkin into the multiple stories stored in camera angle storage areas as taught in Hirayama because said incorporation allows for the benefit of allowing a user to trigger various user operations thus creating a "richer, more interactive" experience for the users (col. 4, lines 33-49).

Regarding claim 2, Lamkin et al. teaches the claimed further comprising acts of: identifying a bookmark corresponding to the branch indication passed during a forward/rewind operation of the playback device (as discussed in claim 1 above, the user can identify the points at which to create a bookmark and similarly upon reproduction **while the video is played** back during a playback operation, the user can decide to playback from a desired bookmark using the "GoToBookmark" instruction. The user can operate a forward/rewind operation (e.g. col. 81, lines 24-25 teaches of fast forward and fast reverse buttons selectable by a user) and after passing a point where a bookmark has been placed, the user can initiate the process of playing back video using a bookmark as taught by the "GotoBookmark returns to the same position on the disc as when the bookmark was set" discussion in col. 53, lines 65-12. Therefore, the user identifies the bookmark during a forward/rewind operation); and

selecting a specific branch of the content to forward/rewind the content according to the information of the bookmark as the navigation (col. 53-54 teaches of "GotoBookmark" instruction, which is the command generated when a user decides to playback the video from the desired bookmarked location, in doing so, the content is jumped to the location of the bookmark. Therefore, since the angle information is also stored in the bookmark, the specific branch (i.e. angle) is reproduced). The prior motivation as discussed above is incorporated herein.

Regarding claim 4, Hirayama et al. teaches a method for playing content having a story line (col. 9, lines 15-31 teaches of story lines) including a plurality of distinct branches (col. 9, lines 15-31 teaches of at least 3 story lines) on a playback device (Fig. 1, "Apparatus"), the plurality of distinct branches leading to a respective plurality of diverged endings of the content story line (col. 9, lines 15-31 teaches of at least 3 story lines regarding three separate "heroes", in the example, the story (illustrated in Fig. 9A-D) has distinct story lines for each "hero", therefore the respective stories have different content and therefore endings. The multi-scene stories are each recorded in separate camera angle storage areas (Fig. 3B)), the method comprising acts of: on the playback device:

However, Hiraryama fails to teach detecting a branch indication while playing the content, the branch indication identifying a branch of the plurality of distinct branches of the content selected for playback; and creating a bookmark corresponding to the detected branch indication to record relevant information of said branch indication including which one of the plurality of distinct branches to continue for playing the

content, wherein each branch indication of the played content has a corresponding

created bookmark, wherein subsequent playing of the content is guided by the created

bookmarks.

In an analogous art, Lamkin et al. teaches a similar method for playing content

having a plurality of distinct branches playable on a playback device including the acts

of:

detecting an interruption or pause during navigation of the distinct branches of

the content selected for playback (col. 21, lines 21+ and TABLE 1 teaches of the

standard DVD that has multiple angles (1-9) that can be stored, the multiple angles are

distinct branches of the content unique from one another. The content has a plurality of

different paths that can be reproduced by a playback device. The ability of the user to

set a bookmark also meets the claimed "interruption". Furthermore, this limitation is also

met when the user may also "Pause" (col. 81, line 21) the video, prior to creating a

bookmark at the paused location); and

creating a bookmark corresponding to an interruption or pause of the playing to

record relevant information of the interruption point or pause point including neighboring

for-and-aft position parameters, wherein the bookmark identifies a branch of the plurality

of distinct branches of the content selected for playback and subsequent playing of the

content (As discussed above, once the system detect the particular angle (i.e. branch

indication), Lamkin et al. teaches in col. 21, lines 21+ and col. 13, lines 38-51 teaches of

creating/storing a multitude of information regarding the point at which the user

decides to create a bookmark. The bookmark information includes among others, the

ability to mark a particular "Angle, Angle (1-9)" being reproduced. The bookmark

information also stores "TitleNumber" and "Elapsed Time" which identifies a title and the

point in time where the bookmark is created, therefore parameter "Elapsed Time"

meets the claimed "neighboring fore-and-aft position parameters" since it indicates the

location of where the Disc needs to be read to access the data identified by the

bookmark. Therefore, during playback, the user can use the Bookmark to jump back to

the specific Angle that was being reproduced. Col. 53, lines 65-12 teaches of a

"GotoBookmark" feature: "GotoBookmark returns to the same position on the disc as

when the bookmark was set". The bookmark information therefore identifies a specific

branch upon selection from a user).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to incorporate the ability to detect a branch indication, create a

bookmark corresponding to the detected branch indication and to subsequently play the

content guided by the created bookmarks as taught by Lamkin into the multiple stories

stored in camera angle storage areas as taught in Hirayama because said incorporation

allows for the benefit of allowing a user to trigger various user operations thus creating a

"richer, more interactive" experience for the users (col. 4, lines 33-49).

Regarding claim 5, Lamkin et al. teaches the claimed wherein the information

stored in the bookmark includes at least one a name or an ID of the optical disc (TABLE

1 in col. 21 teaches of "TitleNumber" that is stored as part of Bookmark information).

The prior motivation as discussed above is incorporated herein.

Claims 8-9 are rejected for the same reasons as discussed above in method claims 1-2, respectively, furthermore, Lamkin teaches in col. 5, lines 44-49 of "any device capable of playing any media disk" and col. 9, lines 28-58 teaches a "DVD Device 602" according to the embodiment/invention which meets the claimed optical disc player. The prior motivation as discussed above is incorporated herein.

Claim 10 is rejected for the same reasons as discussed in claims 1 and 8 above.

Claims 11 and 16 are rejected for the same reasons as discussed in claims 1 and 8 above and furthermore, col. 54 teaches the storing of bookmarks ("SaveBookmark" operation) on the device. The prior motivation as discussed above is incorporated herein.

Claim 13 and 14 are rejected for the same reasons as discussed above in claims 4 and 6, respectively.

Claim 15 is rejected for the same reasons as discussed in claims 13 and 4 above.

Regarding claims 17 and 19, the system of Lamkin et al. teaches that a DVD includes multiple angles that can be played back (col. 21, lines 21+, col. 13, lines 38-51, col. 82, lines 4-5 and TABLE 1 teaches of the standard DVD that has multiple "angles (1-9)"), Lamkin furthermore teaches in col. 101, lines 37-60 of "angles to be set to those currently available". It is taught in col. 101, line 46, that a particular "Angle is set" to playback. This therefore teaches a predefined branch indication since during playback, the particular "Angle" that is set is played. As discussed in claim 1 above, wherein a

branch indication (one of the Angles (1-9)) is detected, that particular Angle is stored as a branch indication. The prior motivation as discussed above is incorporated herein.

Claims 18 and 20 are rejected for the same reasons as discussed in claim 4 above.

5.   **Claims 3, 6-7 and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirayama et al. (US 5,732,185) in view of Lamkin et al. (US 7,379,661) and further in view of Lewis et al. (US 7,286,747).

Regarding claim 3, the proposed combination of Hirayama and Lamkin et al. teaches the limitations as discussed in claim 1 above, however fails to teach the claimed further comprising showing the bookmark corresponding to a branch point when meeting the branch point to provide user with a choice.

In an analogous art, Lewis teaches of a display in Fig. 4 that allows the display of the "Mark 1 through 9" according to the branch when it is set, and further upon playback from the branch point.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Lamkin et al. to display the bookmarks corresponding to the branch indications for selection/manipulation as taught by Lewis et al. into the proposed combination of Hirayama and Lamkin et al. because such incorporation would allow a user to view the different bookmarks at one time (Lewis, abstract and Fig. 4) and to "avoid the inconvenience of manipulating the fast forward or reverse commands to reach a precise point desired" (col. 1, lines 59-61).

Claim 6 is rejected for the same reasons as discussed in claims 3-5 above.

Regarding claim 7, the proposed combination of Hirayama and Lamkin et al. as

discussed above and furthermore, Lamkin et al. teaches the claimed further comprising

acts of: determining the information of the bookmark if the information stored in the

bookmark includes the name or ID of the optical disc which is played (col. 21, lines 5-11

and lines 36-44 teaches of "Disk Cookie" includes "unique ID" and "ID field" (based on

DISC.ID). The "Disk Cookie" stores the bookmarks and therefore, the bookmarks

generated and stored in the "Disc Cookie' includes the name or ID of the optical disc.

Upon reproduction, it is determined that the bookmark stored in the "Disc Cookie"

includes the name or ID of the optical disc when the "GotoBookmark" instruction is

instructed by the user); and selecting a specific branch to forward/rewind using the

information stored in the determined bookmark for navigation of the content (col. 53-54

teaches of "GotoBookmark" instruction, which is the command generated when a user

decides to playback the video from the desired bookmarked location, in doing so, the

content is jumped (Fast Forward/Reverse) to the location of the bookmark. Therefore,

since the angle information is also stored in the bookmark, the specific branch (i.e.

angle) is reproduced). The prior motivation as discussed above is incorporated herein.

Claim 12 is rejected for the same reasons as discussed in claims 1, 3 and 8

above, and furthermore, Lewis et al. teaches the ability to jump between sets of

bookmarks in col. 5, lines 21-25 and col. 6, lines 5-14 to reach the desired points. It

would have obvious to one of ordinary skill art at the time of the invention to jump

between sets of bookmarks as taught by Lewis et al. into the system of Lamkin et al.

because such incorporation would allow a user to view the different bookmarks at one

time (Lewis, abstract and Fig. 4) and to "avoid the inconvenience of manipulating the

fast forward or reverse commands to reach a precise point desired" (col. 1, lines 59-61).

The prior motivation as discussed above is incorporated herein.

Conclusion

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to GELEK TOPGYAL whose telephone number is

(571)272-8891. The examiner can normally be reached on 8:30am -5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Peter-Anthony Pappas can be reached on 571-272-7646. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gelek Topgyal/
Examiner, Art Unit 2481

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